

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-16291 of 2020

Date of Decision: 17.08.2020

Hardeep Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. H.S.Sitta, Asst. A.G.Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

Through the instant petition under Section 438 of Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 70 dated 04.06.2020, registered under Section 61 of Excise Act, 1914, at Police Station Talwandi Chaudhrian, District Kapurthala.

On 24.06.2020, this Court passed the following order :-

“Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 70 dated 04.06.2020 registered under Section 61 of Excise Act, 1914, at Police Station Talwandi Chaudhrian, District Kapurthala.

Learned counsel for the petitioner states that raid was conducted on a secret information and the petitioner was not apprehended on the spot. The recovery has already been effected and nothing has to be recovered from the petitioner.

It is further argued that the person named in the present FIR is Jeeta @ Deepa son of Bholi, who is resident of Mand Chaudhriwal whereas the petitioner is neither known by this name, nor residing in that village.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG Punjab, accepts notice on behalf of the respondent-State and stated that the recovery of 1100 liters of Lahan has been effected from the petitioner. The case is at an initial stage and no such other case is pending or decided against the petitioner.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure. Adjourned to 17.08.2020.”

Learned counsel for the petitioner states that pursuant to the order dated 24.06.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Balkar Singh states that the petitioner has joined the investigation and he is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 24.06.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

17.08.2020
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No